-

THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 11199 OF 2005

DATED: 11-08-2005

Between

The Khammam Town Lorry Owners Association,
rep. by its President Kancherla Siva Naga Malleswara
Rao, S/o Late Deshpati Rao, Aged about 52 years,
R/o Canal Hanuman Temple Road, Khammam,
Khammam District – 507 003.

..... PETITIONER

And

1. Government of A.P., rep. by its Principal Secretary,
Municipal Administration, Secretariat Buildings,
Hyderabad and others.

..... RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 11199 OF 2005

ORDER: (per Sri Ramesh Ranganathan, J)

Heard the learned counsel for the petitioner and the learned Government Pleader for Municipal Administration and Urban Development and at their request, the writ petition is disposed of at the interlocutory stage.

The grievance of the petitioner in this writ petition is that the instructions issued by the Government from time to time, in its memos dated 31-07-2003 and 25-04-2003 and in G.O.Rt.No.551, Municipal Administration and Urban Development (TCI) Department, dated 24-04-2003 whereby necessary instructions were issued to the Municipal Corporations, Municipalities, District Panchayat Officers and others not to collect octroi tax, are not being given effect to. The petitioner relies on the judgment of this Court in W.P No. 3234 of 2004 dated 13-04-2004 wherein it was held as under:

> "Accordingly, we dispose of the Writ petition directing the respondents to strictly implement the orders passed by the Principal Secretary to Government of Andhra Pradesh, Municipal Administration in Memo No. 7679/TCI/2003 dated 31.7.2003 and Memo No. 7701/Pts.III/A1/2003-1 dated 25.4.2003 issued by the Secretary to Government of Andhra Pradesh, Panchayat Raj Department. No costs".

It is needless to state that the authorities concerned are required to implement Government Orders, issued from time to time, as long as they continue to remain in force. In the circumstances, there shall be a direction to the respondents to give effect to the orders passed by the Government in the aforesaid memos and government orders referred to above and not to collect octroi tax from the members of the petitioner – association as long as the said memos and the government orders remain in force and are not withdrawn.

The Writ Petition is accordingly disposed of. No costs.

(B. Sudershan Reddy, J)

11..08..2005

(Ramesh Ranganathan, J)

ks